

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

LEIGHTON TECHNOLOGIES LLC,

Plaintiff,

vs.

OBERTHUR CARD SYSTEMS, S.A. and
OBERTHUR CARD SYSTEMS OF
AMERICA CORPORATION,

Defendants.

OBERTHUR CARD SYSTEMS, S.A. and
OBERTHUR CARD SYSTEMS OF
AMERICA CORPORATION,

Counterclaim Plaintiffs.

vs.

LEIGHTON TECHNOLOGIES LLC,
GENERAL PATENT CORPORATION
INTERNATIONAL, GENERAL PATENT
CORPORATION, and IP HOLDINGS LLC,

Counterclaim Defendants.

Case No: 04 CV 02496 (CM) (LMS)

~~PROPOSED~~

EIGHTH AMENDED SCHEDULING
ORDER

FEB 16 2007

Hon. Coleen McMahon

Magistrate Judge Lisa M. Smith

The parties by their attorneys having stipulated and agreed, and having shown good cause to this Court for modifications to the Rule 16(b) scheduling order,

IT IS HEREBY ORDERED:

1. All fact discovery has been completed.
2. Leighton served its final Rule 26(a)(2) expert report(s) and disclosure(s) regarding infringement on November 20, 2006.

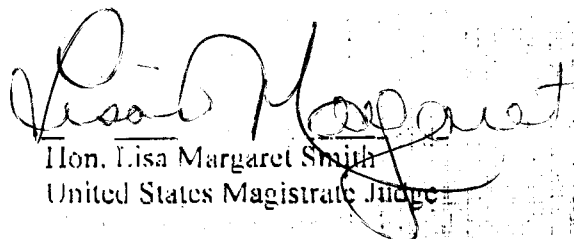
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3. Oberthur's motions for summary judgment of non-infringement and lack of standing were filed on November 28, 2006.
4. Responsive expert report(s) on infringement were filed on January 9, 2007.
5. Leighton Technologies' response to Oberthur's summary judgment motions were filed on January 26, 2007.
6. To the extent new information is raised in the responsive expert reports, rebuttal reports on infringement are due February 16, 2007.
7. Oberthur's reply briefs in support of its summary judgment motions are due March 2, 2007.
8. Service of requests to admit must be completed by March 12, 2007.
9. Requests to admit must be responded to by April 3, 2007.
10. For any other issues (besides infringement) for which a party carries the burden of proof, that party shall serve its Rule 26(a)(2) expert reports and disclosures on April 16, 2007.
11. Responsive expert reports on these other issues are due May 18, 2007.
12. To the extent new information is raised in the responsive expert reports, rebuttal reports on these other issues are due June 4, 2007.
13. Expert depositions will take place between July 4 and August 3, 2007.
14. A final pre-trial order and all motions in limine are due in July 2007 (the exact date to be set by the Court). All exhibits and objections to exhibits, requests to charge, proposed voir dire instructions and proposed verdict forms are also to be filed on that date.

15. Any party seeking damages from any other party must append to the joint pretrial order a one page addendum explaining the factual and legal basis for the claimed damages, explaining how it proposes to prove damages and setting forth a calculation of anticipated damages.
16. Responses to in limine motions are due 5 days after the motions are made.
17. The Court will schedule a final pre-trial conference after the final pre-trial order is filed. Cases can be called for trial at any time after the final pre-trial conference. The Court has calendared this case to be tried starting on September 10, 2007.
18. The parties shall not contact Judge McMahon about discovery disputes, they shall go directly to Magistrate Judge Smith.
19. This scheduling order may be altered or amended only on a showing of good cause not foreseeable at the date hereof. *Counsel should not assume that extensions will be granted as a matter of routine.*

Dated: February 16, 2007
White Plains, New York 10601


Hon. Lisa Margaret Smith
United States Magistrate Judge